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**FILED**  
DISTRICT COURT OF GUAM  
9 9 P  
JAN 09 2006   
**MARY L.M. MORAN**  
**CLERK OF COURT**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE TERRITORY OF GUAM**

11 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 05-00009  
12 Plaintiff, ) MOTION TO IMPOSE FINE  
13 vs. )  
14 DANIEL MATSUNO and, )  
15 VIVIAN MATSUNO, )  
16 Defendants. )

17 COMES NOW the United States of America, and moves this Honorable Court for an  
18 order imposing a fine in the amount of \$3,000, jointly and severally payable by both defendants.  
19 The government makes this motion pursuant to the Pre-Trial Diversion Agreement entered into  
20 between the parties March 1, 2005, which provides that the defendants were to pay a fine within  
21 the applicable Guidelines range, which the parties agreed was between \$250 and \$5,000.

U.S. Probation Officer Judy Ocampo has prepared a financial statement detailing the income, expenses and assets of the defendants. A copy of this statement, along with the

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1 defendant's pre-trial diversion agreements, is being lodged separately under seal for  
2 consideration by the Court. The government believes a fine of \$3,000 is reasonable in all the  
3 circumstances.

4 Respectfully submitted this 9th day of January, 2006.

5 LEONARDO M. RAPADAS  
6 United States Attorney  
Districts of Guam and CNMI

7 By:

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KARON V. JOHNSON  
9 Assistant U.S. Attorney

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